

arisen between said company and the State Highway Commission, said company claiming that it was ordered and required by the State Highway Engineers and the State Highway Commission to do certain work not provided for in the specifications by reason of which extra cost was incurred by the contractors; and

WHEREAS, Said Interstate Contracting Company has filed its claim with the State Highway Commission which has been allowed in part and refused in part; now, therefore, be it

RESOLVED by the House of Representatives, the Senate concurring, That the said contracting company be and they are hereby granted right to bring suit against the State of Texas and the State Highway Department in a court of competent jurisdiction in Travis County, Texas, in order to determine what compensation, if any, the Interstate Contracting Company is entitled to receive by reason of extra work done upon said projects and that in case such suit be filed service of citation or other necessary processes be had upon the Governor, the Chairman of the Highway Commission of the State of Texas and the Attorney General, and that the same have the same force and effect as made and provided in civil cases.

Filed in the Department of State, May 5, 1933, with the Governor's signature.

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PROPOSING AN AMENDMENT TO ARTICLE XI OF THE  
CONSTITUTION OF TEXAS, RELATING TO  
CITY CHARTERS.

H. J. R. No. 41.]

HOUSE JOINT RESOLUTION.

Proposing Amendments to Section 5, of Article XI of the Constitution of Texas, permitting a city that has adopted and amended its charter as provided in Section 5, of Article XI, to alter, amend or repeal its charter once in every twelve (12) months; providing for its submission to the voters of the State of Texas as required by the Constitution and making an appropriation therefor.

*Be it resolved by the Legislature of the State of Texas:*

SECTION 1. That Section 5, of Article XI, of the Constitution of the State of Texas, be amended so as to hereafter read as follows:

"Section 5. Cities having more than five thousand (5000) inhabitants may, by a majority vote of the qualified voters of said city, at an election held for that purpose, adopt or amend their charters, subject to such limitations as may be prescribed

by the Legislature, and providing that no charter or any ordinance passed under said charter shall contain any provision inconsistent with the Constitution of the State, or of the General Laws enacted by the Legislature of this State; said cities may levy, assess and collect such taxes as may be authorized by law or by their charters; but no tax for any purpose shall ever be lawful for any one year, which shall exceed two and one-half per cent ( $2\frac{1}{2}\%$ ) of the taxable property of such city, and no debt shall ever be created by any city, unless at the same time provision be made to assess and collect annually a sufficient sum to pay the interest thereon and creating a sinking fund of at least two per cent (2%) thereon; provided further, that no city charter shall be altered, amended or repealed oftener than every twelve (12) months."

SEC. 2. The foregoing Constitutional Amendment shall be submitted to the qualified electors of the State at the next General Election, to be held on the first Tuesday after the first Monday in November, 1934; at which Election all voters favoring such proposed Amendment shall write or have printed on their ballots the words: "For Amendment to the Constitution of the State of Texas permitting any Home Rule City to alter, amend or repeal its charter every twelve (12) months"; and those opposed shall write or have printed on their ballots the words, "Against the Amendment to the Constitution of the State of Texas permitting any Home Rule City to alter, amend or repeal its charter every twelve (12) months."

SEC. 3. The Governor of the State is hereby directed to issue the necessary proclamation for said election and have same published as required by the Constitution and existing laws of the State.

SEC. 4. The sum of Five Thousand Dollars (\$5,000.00), or so much thereof as may be necessary is hereby appropriated out of any funds in the Treasury of the State not otherwise appropriated to pay the expenses of said publication and election.

[NOTE.—H. J. R. No. 41 passed the House, April 12, 1933, by a vote of 118 yeas, 13 nays; passed the Senate, April 27, 1933, by a vote of 27 yeas, 1 nay.]

Filed in the Department of State, May 10, 1933, with the Governor's signature.

PROPOSING AN AMENDMENT TO ARTICLE 16, SECTION  
30 OF THE CONSTITUTION OF TEXAS, RELATING  
TO TERM OF OFFICE OF CITY OFFICERS.

H. J. R. No. 42.]

HOUSE JOINT RESOLUTION.

Proposing Amendments to Section 30, of Article 16 of the Constitution of Texas, permitting elected officials of a city that has adopted and amended its charter as provided in Section 5, of Article XI of the Constitution of Texas, by amendment to such city's charter to hold office not exceeding four (4) years; providing for its submission to the voters of the State of Texas as required by the Constitution and making an appropriation therefor.

*Be it resolved by the Legislature of the State of Texas:*

SECTION 1. That Section 30, Article 16 of the Constitution of Texas be amended so as to hereafter read as follows:

"Section 30. The duration of all offices not fixed by this Constitution shall never exceed two (2) years, except that the elected officials of a city that has adopted and amended its Charter as provided in Section 5, Article XI of the Constitution of Texas may, by amendment to such city's charter, hold office not to exceed four (4) years; provided, that when a Railroad Commission is created by law it shall be composed of three (3) Commissioners who shall be elected by the people at a General Election for State Officers, and their terms of office shall be six (6) years; provided, Railroad Commissioners first elected after this Amendment goes into effect shall hold office as follows: One shall serve two (2) years, and one four (4) years, and one six (6) years; their terms to be decided by lot immediately after they shall have qualified. And one Railroad Commissioner shall be elected every two (2) years thereafter. In case of vacancy in said office the Governor of the State shall fill said vacancy by appointment until the next General Election."

SEC. 2. The foregoing Constitutional Amendment shall be submitted to the qualified electors of the State on the next General Election to be held on the first Tuesday after the first Monday in November, 1934, at which election all voters favoring such proposed amendment shall write or have printed on their ballots the words, "For the Amendment to the Constitution of the State of Texas permitting Home Rule Cities to so amend their charters that the elected officials of such cities may hold office not to exceed four (4) years," and those opposed shall write or have printed on their ballots the words, "Against the Amendment to the Constitution of the State of Texas permitting Home Rule Cities to so amend their charters that the elected officials of such cities may hold office not to exceed four (4) years."